

Application for Department of Defense Excess Equipment

INSTRUCTIONS:

Complete the information on the application facesheet.

Complete the equipment and supply request page (s) of the application

Provide a written request for the proposed property. On plain white paper define the problem you will be attempting to impact with the property requested and provide a written justification of all items requested.

The completed application should be signed by the Chief / Sheriff or Department Director and returned to: Missouri

Department of Public

Safety, P.O. Box 749, Jefferson City, MO 65102. Attn: Ralph Lindsey.

APPLICANT ORGANIZATION		SIZE OF DEPARTMENT	
AGENCY		FULL TIME SWORN OFFICERS _____	FULL TIME TACTICAL OFFICERS _____
ADDRESS		FULL TIME NARCOTIC OFFICERS _____	
CITY STATE ZIP		AGENCY PHONE # ()	AGENCY FAX # ()
TYPE OF AREA ____ STATEWIDE ____ REGIONAL ____ LOCAL			
PROJECT DIRECTOR			
NAME		<p style="text-align: center;">TRANSFER OF EXCESS PERSONAL PROPERTY :</p> <p>This equipment is excess to the needs of D.O.D and is hereby transferred to your agency in support of your law enforcement mission, subject to the following provisions:</p> <p>A. It is provided "as is" with no guarantees or warranties (explicit or implied). Any repair, maintenance, insurance or other expenses associated with these items is the sole responsibility of your agency.</p> <p>B. When this equipment is no longer needed, disposal will be accomplished according to applicable laws governing this program.</p> <p style="text-align: center;">The authorized official signature certifies that any equipment received will be used for drug enforcement purposes.</p>	
TITLE PHONE			
ADDRESS			
CITY STATE ZIP			
AUTHORIZED OFFICIAL (Chief, Sheriff or Dept. Dir.)			
NAME		AGENCY ORI _____	
ADDRESS		AUTHORIZED OFFICAL SIGNATURE _____	
CITY STATE ZIP		TITLE	DATE

SUPPLIES AND EQUIPMENT REQUESTED	
INSTRUCTIONS: List the number of items of each type of property being requested. Describe each type of property in terms of size, capability, etc., under the description column.	
AGENCY NAME	
NUMBER OF ITEMS	DESCRIPTION OF PROPERTY

DEPARTMENT OF PUBLIC SAFETY

CHECKLIST FOR D.O.D. EXCESS PROPERTY APPLICATION

The following are guidelines for examining applications for acquisition of Excess Property from the Department of Defense through the Missouri Department of Public Safety. Any application approved by the Director and forwarded to the LESO must meet all of the following requirements. Any checked items must be included in your written narrative:

- _____1. A properly executed affidavit is on file with the Department of Public Safety
- _____2. Application is completed along with a written narrative justifying items requested and signed by the Chief Executive Officer.
 - _____a. type and quantity of items requested are identified
 - _____b. name, address, phone and fax number are listed
 - _____c. intended use of the requested equipment in a counter-drug, counter terrorism, or officer safety role is detailed
 - _____d. list number of full time sworn officers in your agency
 - _____e. list number of full time sworn officers which are involved in tactical activity
 - _____f. list number of full time narcotic officers
 - _____g. list, if any, multi-agency counter-drug or tactical activity participation
 - _____h. list number of square miles and population being covered by this agency
 - _____i. list number of drug cases initiated and the total number of cases filed for the last two (2) years.
- _____3. Aircraft, armored vehicle/ peacekeeper requests must be requested on a separate application.
 - _____a. If aircraft or armored vehicles / peacekeepers are requested, does the agency have a functioning aviation / tactical response section
 - _____b. The receiving agency agrees to additional special terms and conditions applicable to the donation of aircraft, peacekeepers/ armored vehicles and other property requiring special handling or use limitations regardless of the acquisition cost or purpose for which acquired
 - _____c. The donation shall be subject to the additional special terms, conditions, reservations and restrictions set forth: (i.e.) Affidavit from City Administrator/ Mayor and/ or Presiding County Commissioner showing proof of adequate facilities and funds available to operate, insure, maintain, secure and care for such items of acquisition

- _____d. All special donated items (i.e.) aircraft, peacekeepers/ armored vehicles may not be sold, traded, leased, loaned, bailed, cannibalized or otherwise disposed of without the written consent of the Department of Public Safety
- _____e. Agreement to meet the new FAA provision under Public Law 103-411 as it pertains to the operation of public use aircraft

_____4. If the requesting agency is a correctional institution, the following must be included

- _____a. Sufficient justification showing the intended purpose is for counter-drug activity
- _____b. What would be the impact if the support is not provided
- _____c. What demand reduction program within the correctional facility will this support assist
- _____d. Describe the demand reduction program and any education/ rehabilitation assistance
- _____e. Provide name and address of the correctional facility that will use the equipment
- _____f. Show the amount of property requested does not exceed what is truly required.

Signed: _____

Title: _____

Date: _____

THE MISSOURI DEPARTMENT OF PUBLIC SAFETY
DEPARTMENT OF DEFENSE EXCESS PROPERTY – D.O.D.
AFFIDAVIT AND CERTIFICATION AGREEMENT

(Including Terms, Conditions, Reservations, and Restrictions)

Applications provided to the Missouri Department of Public Safety must meet all of the below listed requirements before they will be approved and forwarded to the Law Enforcement Support Office (LESO), Defense Logistics Agency, Fort Belvoir, Virginia. The Missouri Department of Public Safety is hereafter referred to as “state agency”.

A). The receiving agency certifies that:

- 1). It is a law enforcement agency
- 2). Property obtained will be used for counter-narcotics, counter terrorism and officer safety efforts
- 3). The property is not being acquired for any other use or purpose, for sale or other distribution or for permanent use outside the state except with prior written approval of the state agency

B). The receiving agency agrees to the following conditions

- 1). All items of property shall be placed in use for the purpose(s) for which acquired within six (6) months of receipt and shall be continued in use for such purpose(s) for at least eighteen (18) months from the date the property was received. The only exception will be expendable items such as BDU clothing, surgical gloves, medical tape, etc. In the event the property is not placed in use or continued in use, the receiving agency shall immediately notify the state agency or otherwise make the property available for transfer or other disposal by the state agency, provided the property is still usable as determined by the state agency
- 2). Handling or use limitations imposed by the state agency on any item(s) of property listed hereon
- 3). In the event the property is not used or handled as required by (B)(1) and (2), title and right to the possession of property shall be the option of the state agency revert to the State of Missouri and upon demand the receiving agency shall release property to the state agency or its designee as directed

C). In addition to the above conditions the receiving agency agrees to the following conditions imposed by the state agency, applicable to items with a unit acquisition cost of \$5,000.00 or more. The receiving agency agrees to the following additional special terms and conditions applicable to the donation of aircraft, peacekeepers/Armored vehicles and other property requiring special handling or use limitations, Regardless of the acquisition cost or purpose for which acquired.

- 1). The property shall be used only for the purpose(s) for which acquired and for no other purpose(s)
- 2). The donation shall be subject to the additional special terms, conditions, reservations and restrictions set forth; (i.e.) supplemental affidavit from City Administrator/ Mayor or Presiding County Commissioner showing proof of adequate facilities and funds are available to operate and maintain such items of special acquisition
- 3). Affidavit must include name of FAA pilot who will operate aircraft
- 4). Agreement to comply with new FAA provision under Public Law 103-411 as it pertains to the operation of public use aircraft

- 5). In the event the property is not used as required by (C)(1), (2), (3), (4) and restrictions (B)(1) and (2) have expired, right to the possession of property shall be the option of the state agency revert to the state of Missouri and the receiving agency shall release property to such person as the state agency shall direct
- D). The receiving agency agrees to the following terms, reservations and restrictions
- 1). The receiving agency shall not sell, trade, lease, lend, bail, cannibalize, encumber or otherwise dispose of any property without written authorization from the state agency
 - 2). In the event any of the property listed hereon is sold, traded, leased, loaned, bailed, cannibalized, encumbered or otherwise disposed of by the receiving agency without prior approval of the state agency, the receiving agency will be held liable and may be suspended from future participation in this program
- E). The receiving agency agrees to the following conditions applicable to all items of property listed hereon
- 1). The property acquired by the receiving agency is on an “as is” “where is” basis, without warranty of any kind and the Government of the United States of America and the state of Missouri will be held harmless from any or all debts, liabilities, judgments, costs, demands, suits, actions, or claims of any nature arising from or incident to the donation of the property, its use or final disposition
 - 2). Agrees to carry liability insurance against damages to or loss of property of another in connection with the use of any donated property
- F). Applications must be made on official application and signed by the Chief Officer of the Department (Sheriff, Chief of Police, Director, etc.)
- G). This affidavit executed by the Chief Officer of the department must be on file with the Department of Public Safety or accompany the application. If a successor to the affiant submits a request, a new affidavit must be executed and submitted by the successor
- H). Violation of any of the requirements set forth by the Department of Defense or the Department of Public Safety may result in a suspension of your right to apply through the Department of Public Safety for transfer of property through Department of Defense Excess Property (1033 Program).
- I). Abuse of the requirements as set forth by the Department of Defense and the Department of Public Safety may be in violation of local, state and/ or federal criminal law and may result in prosecution for any offenses
- J). The Authorized Official for the agency shall list two persons that will be responsible to sign for and screen D.O.D. property

**WHAT YOU AGREE TO WHEN YOU SIGN YOUR
AFFIDAVIT AND CERTIFICATION AGREEMENT**

YOU AGREE to use the excess property only in the official program, which you represent,

And

YOU AGREE to put the excess property into use within six (6) months and to use it for at least eighteen (18) months,

And

YOU AGREE to use non-expendable items for eighteen (18) months or longer,

And

YOU AGREE that you would not sell, trade, lease, loan, or cannibalize the property for parts unless the Department of Public Safety gives you written authorization to do so.

Signed: _____ Date: _____
Authorized Official

Title: _____

State of Missouri, County of _____

Sworn and subscribed to me on this _____ day of _____, 20 _____

Notary Public

My Commission Expires

PRODEDURES FOR THE TRANSFER OF EXCESS D.O.D. PERSONAL PROPERTY TO CIVILIAN DRUG LAW ENFORCEMENT AGENCIES

1. PURPOSE:

- A. To document the transfer of minor items of personal property in excess to D.O.D. to civilian law enforcement agencies (LEAs) under the provisions of the 1033 program.
- B. To provide common procedures for the Defense Reutilization and Marketing Service (DRMS) to follow in requisitioning and transferring excess D.O.D. personal property.
- C. To provide uniform instructions for the preparation of DD Form 1348-1, D.O.D. single line item release/ receipt documents.

2. APPLICABILITY:

- A. These procedures are applicable to the DRMS, LESO's and civilian agencies desiring excess D.O.D. property in the 1033 program.

3. AUTHORITY:

- A. United States Department of Defense 1033 program.

4. GENERAL:

- A. Secretary of Defense, in consultation with the Director of the Office of National Drug Control Policy (ONDCP) and the Attorney General, notwithstanding any other provision of law, to transfer excess D.O.D. personal property to federal and state agencies for use in counter-drug, counter-terrorism and officer safety activities. The Secretary of Defense created the LESO to, among other things, coordinate the transfer of excess D.O.D. property to law enforcement agencies in support of law enforcement activities. The Secretary of Defense delegated his authority to transfer excess D.O.D. property under federal law to the D.O.D. Coordinator for Drug Enforcement Policy and Support (CDEP&S) to exercise in coordination with other officials of the D.O.D. The D.O.D. CDEP&S delegated to the Deputy Assistant Secretary for Drug Enforcement (DAS for DE) authority to transfer minor items of excess D.O.D. personal property. The DAS for DE in turn delegated that authority to the Officers in Charge (OICs) of the LESO's.

5. POLICY:

- A. Excess D.O.D. personal property may be transferred to federal state and to local civilian LEA's through a sponsoring federal or state civilian agency for the purpose of counter-drug, counter-terrorism and officer safety law enforcement activities.
- B. The approval authority for the transfer of major items of equipment is a Deputy Assistant Secretary level working group representing the Secretary of Defense, the Director of the ONDCP and the Attorney General.
- C. The approval authority for the transfer of minor items is the LESO officer in charge.

- D. Major items of equipment are defined as aircraft, ships, armored vehicles, weapons, and any item with a hazardous or toxic component.
- E. Minor items of equipment are all items other than those defined above as major items.
- F. There will be no restrictions concerning the Federal Supply Classes (FSCs) of property that may be transferred to civilian LEA's. The criteria for transfer will be the item's suitability for use in counter-drug, counter terrorism, or officer safety law enforcement activities based on the LEA's mission and the items intended use in accomplishing that mission. The determination of suitability and approval of transfer will be made at Deputy Assistant Secretary of Defense level for major items and by the LESO OIC's for minor items.

6. PROCEDURE:

- A. Requests for excess D.O.D. personal property will be prepared and submitted to the LESO, through the state coordinator, utilizing DRMS Form 103.
- B. Excess property will be requisitioned from the DRMS utilizing DD Form 1348-1, DOD Single Line Item Release/ Receipt Documents.
- C. An LESO Control No. in Block D, and DODAAC in card columns 30-35 of the DD Form 1348-1 will serve as the military service accountable officer's authentication for direct removal of property from Defense Reutilization and Marketing Offices (DRMOs) by the law enforcement officer identified in Block 7 of the DD Form 1348-1. When direct removal is not feasible, DRMOs will ship items at the LESO's direction to LEA's as if they were D.O.D. activities.
- D. The DD Form 1348-1 prepared and receipted will serve as the document of transfer of clear title to minor items or excess D.O.D. personal property transferred under the 1033 program.
- E. The DD Form 1348-1 prepared and receipted will serve as a loan agreement for major items of excess D.O.D. personal property pending the execution of a formal letter of transfer by the major item approval authority.
- F. Items requiring demilitarization may be transferred IAW the above procedures with the following stipulation. The transfer document (DD Form 1348-1 for minor items or formal letter of transfer for major items) will require the recipient LEA to return those items to the issuing D.O.D. activity when no longer required or serviceable.

**LAW ENFORCEMENT AGENCY
DATA SHEET
FEDERAL / STATE**

DATE: _____

LEA: _____ INTERNET: _____

STREET: _____

CITY: _____ STATE: _____ ZIP: _____

NUMBER OF FULL TIME SWORN OFFICERS : _____

NUMBER OF FULL TIME SWORN NARCOTIC OFFICERS: _____

NUMBER OF FULL TIME SWORN TACTICAL OFFICERS : _____

**SCREENERS MUST BE AUTHORIZED BY THE GOVERNOR APPOINTED
STATE COORDINATOR**

SCREENER #1 : _____
RANK NAME

SCREENER #2 : _____
RANK NAME

PHONE: _____ FAX: _____

(FOR STATE / LOCAL AGENCIES ONLY)

CHIEF EXECUTIVE OFFICIAL SIGNATURE : _____

STATE COORDINATOR SIGNATURE : _____

(FOR FEDERAL AGENCY ONLY)

HEAD OF AGENCY SIGNATURE : _____

NOTE: THIS FORM MUST BE FILLED OUT ANNUALLY OR AS CHANGES OCCUR BY THE LEA.

CHANGED AS OF SEPT. 22, 1999